

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Application No. 09/238,502  
Attorney Docket No. Q52863

## **REMARKS**

### **I. Introduction**

Pending claims 1-23 have been examined and are rejected. Specifically, claims 1-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bayless et al., U.S. Patent No. 5,754,636 (hereinafter "Bayless"), in view of Coad et al., U.S. Patent No. 5,966,652 (hereinafter "Coad"). Applicant respectfully requests that the Examiner reconsider this grounds of rejection for at least the reasons set forth below.

### **II. Claim Rejections -- 35 U.S.C. § 103(a)**

Claims 1-23 stand rejected under § 103(a) as allegedly being unpatentable over Bayless in view of Coad.

Applicant respectfully submits that claims 1-23 are patentable over a reasonable combination, if any, of Bayless and Coad for at least the exemplary reasons set forth in the Response Under 37 C.F.R. § 1.111 filed on August 22, 2003.

#### **Claims 1, 5, 10, 11, 22 and 23**

In response thereto, the Examiner alleges that Bayless teaches the feature of "selecting a string of character information in a window displayed by the operating system", as recited in claim 1 (*see also* claims 5, 10, 11, 22 and 23). In particular, the Examiner alleges that Bayless teaches these features by describing that a user can import phone directories created for other applications (*citing* Bayless: col. 23, lines 56-61) by use of drag-and-drop from a file value

window 362 (of an import map window 358) to a database map window 360 (*citing* Bayless: col. 24, lines 12-14; and Fig. 31).

To the contrary, in Bayless, import map window 358 facilitates the importing of phone directories, which were created for other applications, by a user (Bayless: col. 24, lines 33-35). Because the values to be imported are displayed in this import map window 358, the user can view the actual data to be imported, allowing easy creation of a mapping in database map window 360 (Bayless: col. 24, lines 34-37).

By viewing the data of a record to be imported in import map window 358, the user can see what each position in the imported records represents (Bayless: col. 24, lines 15-17; and Fig. 31). For example, in Fig. 31 of Bayless, the user can look at the values displayed in import map window 358 and determine that the values for position 4 represent a name suffix. Accordingly, Bayless allows the user to drag from position 4 of the import map window 358 and to drop on name suffix directory field in database map window 360. In this manner, a user can assign a position for each imported field (of the imported records) to particular directory fields (Bayless: col. 24, lines 19-22). When the user has finished designating the mapping in the database map window 360, the user can save the mapping to a file and perform the importation using the saved mapping (Bayless: col. 24, lines 28-31).

The dragging and dropping between import map window 358 and database map window 360 in order to create a field mapping for imported records, as described in Bayless, does not correspond to “selecting a string of character information in a window displayed by the operating

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system”, as recited in claim 1 (*see also* claims 5, 10, 11, 22 and 23). Instead, the dragging and dropping operations relied on by the Examiner are merely used to map the position of fields of records to be imported to existing directory fields. This mapping does not involve the selection of a string of character information. Instead, once the user has defined the positions for the fields of the records to be imported (*i.e.*, has created the mapping), the importation of actual data from the records to be imported occurs without the user having to select any information. This importing (of records from) phone directories created for other applications into an existing database is fundamentally different from the step of “selecting a string of character information in a window displayed by the operating system”, as recited in claim 1 (*see also* claims 5, 10, 11, 22 and 23).

Claim 1 further requires “storing the selected string of character information”, “extracting a telephone number from the stored string of character information” and “call dialing based upon the extracted telephone number, to a line” (*see also* claims 5, 10, 11, 22 and 23). The aforementioned dragging and dropping operation of Bayless merely results in the creation of a mapping for imported records and does not teach or suggest any of these steps. Instead, in Bayless, after the importing of the records according to the created mapping, a user must still take additional action(s) to initiate call dialing, for example, accessing the directory to find the telephone number of the particular individual(s) to be called. This is fundamentally different from Applicant’s claimed invention (*see, e.g.*, claims 1, 5, 10, 11, 22 and 23).

Additionally, Coad is only relied on by the Examiner for describing a text parser 124 that separates a call-back telephone number, using predetermined delimiters, that was embedded in a

text message (*see* Office Action: pages 3-4). However, Coad fails to make up for the exemplary deficiencies of Bayless set forth above.

For example, like Bayless, Coad fails to teach or suggest "selecting a string of character information in a window displayed by the operating system, and storing the selected string of character information" (*see* claims 1, 5, 10, 11, 22 and 23). To the contrary, Coad describes embedding a text data portion into a text message to be transmitted from one cellular phone to another, wherein the text data portion corresponds to a call-back telephone number (Coad: col. 2, lines 44-57). Thereafter, upon receipt of the text message, a text parser automatically processes the received text message character by character to detect predetermined delimiters (Coad: col. 7, lines 32-37). Then, the text parser separates a call-back telephone number using the predetermined delimiters and stores the extracted call-back telephone number in memory (*Id.*).

Thus, in Coad, a call-back telephone number is manually entered during entry of a text message to be sent to a second cellular phone (Coad: Fig. 3, steps 202, 204 and 208). Additionally, upon receipt of the text message, a text parser of the second cellular phone automatically processes the text message and extracts the embedded call-back telephone number using the predetermined delimiters (Coad: Fig. 6A, steps 258, 260, 266, 270 and 272). The manual entry of the call-back telephone number at a transmitting end and the automatic extraction of the call-back telephone number at a receiving end does not correspond to "selecting a string of character information in a window displayed by the operating system" (*see* claims 1, 5, 10, 11, 22 and 23). Consequently, Coad fails to teach and cannot possibly suggest "extracting

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a telephone number from the stored string of character information", as recited in claim 1 (*see also* claims 5, 10, 11, 22 and 23).

In addition to the reasons provided in Applicant's Response Under 37 C.F.R. § 1.111 filed on August 22, 2003, Applicant submits the following exemplary reasons to further illustrate the Examiner's failure to establish a *prima facie* case of obviousness by demonstrating some reasonable suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, absent impermissible hindsight.

On page 4 of the Office Action, the Examiner alleges that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate steps and means to extract a telephone number from the stored string of character information as taught by Coad with Bayless "in order to advantageously permit the transmission of one or more embedded call-back telephone numbers that are embedded into a text message as suggested by Coad" (*citing* Coad: col. 3, lines 21-23).

Applicant respectfully disagrees. Bayless operates without integrating the text parser functionality of Coad, as proposed by the Examiner. Indeed, unlike Coad, Bayless does not relate to sending/receiving text messages, *e.g.*, using SMS, between stations. Therefore, it would not have been obvious to one of ordinary skill in the art at the time of Applicant's invention to complicate Bayless to include unnecessary equipment to support the transmission of text messages from a sender to a receiver, the embedding of call-back numbers in the text messages,

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the reception of text messages at a receiver from a sender and the automatic extraction of call-back numbers embedded in the received text messages, as described in Coad. Indeed, neither Bayless nor Coad (alone or in combination) suggest such a radical modification of Bayless.

Furthermore, Applicant reminds the Examiner that any motivation to modify or combine references (with a reasonable expectation of success) must come from the references themselves or the knowledge generally available to one of ordinary skill in the art, and not from Applicant's disclosure (*see* MPEP § 2143). Consequently, the Examiner has provided no reasonable suggestion or motivation, absent impermissible hindsight, to combine the teachings of Bayless and Coad.

For at least the above reasons, claim 1 (*see also* claims 5, 10, 11, 22, and 23) is not rendered obvious by a reasonable combination, if any, of Bayless and Coad.

Claims 2-4, 6-9 and 12-21

Claims 2-4, 6-9, and 12-21 are patentable over Bayless in view of Coad at least by virtue of their dependency.

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### III. Information Disclosure Statement

The Examiner provides a signed and initialed copy of the Form PTO/SB/08 submitted with Applicant's IDS filed on June 19, 2003, thereby indicating consideration of the references cited therein.

### IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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